



BOX AF

AUG 15 2002

TECH CENTER 1600/2900

**ATTENTION: BOX AFTER FINAL
RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE REQUESTED
EXAMINING GROUP 1642**

Attorney Docket No. 5552.0953-04

In re Application of:

Mathias FIBI *et al.*

Group Art Unit: 1642

Application No.: 08/897,441

Examiner: K. Canella

Filed: July 21, 1997

For: *Erythropoietin (EPO) Peptides and Antibodies Directed Against These*

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE AFTER FINAL

In reply to the Final Office Action of March 12, 2002, the period for reply having been extended to August 12, 2002, by a Petition for Extension of Time and fee filed herewith, and pursuant to 37 C.F.R. § 1.116, Applicants request consideration of the following arguments as they apply to the new references relied on by the Office.

REMARKS

Claims 5-7, 9-12, and 14-23 are pending. Applicants gratefully acknowledge the Office's allowance of claims 9, 14-16, and 22. The Office maintains its rejection of claims 5, 6, 11, 12, 17-20, and 23, under 35 U.S.C. § 102(b) and its rejection of claim 10 under 35 U.S.C. § 103(a).

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